



Docket No.: 0160-0193-0 PCT

FFW DAC

**OBLON**  
**SPIVAK**  
**McCLELLAND**  
**MAIER**  
**&**  
**NEUSTADT**  
P.C.  
ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/463,961

Applicants: Hiroshi IKEDA, et al.

Filing Date: March 9, 2000

For: PROCESS AND APPARATUS FOR TREATING  
SEMICONDUCTOR PRODUCTION EXHAUST  
GASES

Group Art Unit: Office of Petitions

Attention: Paul Shanoski

Allowed: June 2, 2004

SIR:

Attached hereto for filing are the following papers:

**Letter to PTO and Request for Consideration of Petition Under 37 C.F.R. §1.182**

**Copy of Date-stamped Filing Receipt dated August 9, 2004**

**Copy of Papers filed August 9, 2004**

**Copy of Date-stamped Filing Receipt dated March 9, 2000**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Vincent K. Shier, Ph.D.  
Registration No. 50,552

Customer Number

**22850**

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DOCKET NO: 0160-0193-0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

HIROSHI IKEDA, ET AL.

:

: OFFICE OF PETITIONS

SERIAL NO: 09/463,961

: ATTN: PAUL SHANOSKI

FILED: MARCH 9, 2000

: ALLOWED: JUNE 2, 2004

FOR: PROCESS AND APPARATUS FOR TREATING SEMICONDUCTOR PRODUCTION  
EXHAUST GASES

LETTER TO PTO AND REQUEST FOR CONSIDERATION OF  
PETITION UNDER 37 C.F.R. §1.182

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This is in response to the Decision on Petition mailed on September 30, 2005, in regard to the above-identified application. In the Decision on Petition the Office indicates that Petition under 37 C.F.R. §1.182 filed on September 7, 2005, was dismissed. However, Applicants note that the September 7, 2005 filing was *not* an official filing, but rather a courtesy copy of the August 9, 2004, filing. Therefore, Applicants submit that the dismissal of the Petition under 37 C.F.R. §1.182 is an error and request that the Office reconsider this dismissal and afford the present application a filing date of March 9, 2000. The facts of this case are as follows.

On June 2, 2004, the present application was allowed. On August 9, 2004, Applicants timely paid the Issue Fee and filed a Request to Correct Title of Invention and a Request to Correct Filing Date. In the first week of September 2005, Mr. Shanoski of the Office of Petitions contacted the undersigned. During this discussion Mr. Shanoski indicated that this application was a "paper" application and had an outstanding Petition which was filed on August 9, 2004, that he would like to process. In addition, Mr. Shanoski indicated that the paper copy of the case was, at the time, unavailable to him. As such, it was request that, as a courtesy, the undersigned

provide copies of the documents as filed so that Mr. Shanoski could work on this case. As requested, on September 7, 2005, the undersigned provided Mr. Shanoski a facsimile copy of the documents filed on August 9, 2004. Since the documents provided via facsimile were as a courtesy to Mr. Shanoski, copies were made from the undersigned's files and were not signed. Nonetheless, on the facsimile cover page, the undersigned requested that if the Examiner needed further assistance that he should be contacted. On September 30, 2005, the Office issued a Decision on Petition dismissing the Petition under 37 C.F.R. §1.182 based on an erroneous decision to treat the September 7, 2005, filing as an official filing rather than what it was - a courtesy copy of the August 9, 2004, filing. Therefore, it is request that the Office act on the *original* Petition under 37 C.F.R. §1.182, which was filed on August 9, 2004.

In an effort to assist the Office in recreating its files and in an effort to expedite an action on the *original* Petition under 37 C.F.R. §1.182, which was filed on August 9, 2004, Applicants submit herewith copies of the documents as filed on August 9, 2004, along with the date-stamped filing receipts for August 9, 2004 and March 30, 2000. In the event that the Office again decides to treat the enclosed copies as an official Petition, the undersigned hereby certifies by his signature below that the enclosed copies are an accurate copy of the papers as filed on August 9, 2004.

In view of the foregoing, it is requested that a prompt review of this application be commenced and that the Request for Reconsideration of Petition under 37 C.F.R. §1.182 be GRANTED.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Vincent K. Shier, Ph.D.  
Registration No. 50,552

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(OSMMN 06/04)



MA

OSMD46N File No. 0160-0193-0 PCT

Dept.: IP-II

By: NFO/aat

Serial No. 09/463,961

In the matter of the Application of: Hiroshi IKEDA, et al.

For: PROCESS AND APPARATUS FOR TREATING SEMICONDUCTOR  
PRODUCTION EXHAUST GASES

**Due Date: 09/02/04**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Credit Card Form for \$1,330.00
- Dep. Acct. Order Form
- Issue Fee Transmittal
- Request to Correct Title of Invention
- Request to Correct Filing Date

**COPY**



Best Available Copy

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (703) 746-4000



INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)  
Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22850 7590 06/02/2004

**CUSTOMER NUMBER**  
**22850**

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/463,961	05/25/2000 3/9/2000	HIROSHI IKEDA	0160-0193-0 PCT	7006

TITLE OF INVENTION: ~~METHOD AND APPARATUS FOR PROCESSING EXHAUST GAS OF SEMICONDUCTOR FABRICATION PROCESS AND APPARATUS FOR TREATING SEMICONDUCTOR PRODUCTION EXHAUST GASES~~

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	09/02/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
LANGEL, WAYNE A	1754	423-210000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. OBLON, SPIVAK,  
2. MCCLELLAND, MAIER  
3. & NEUSTADT, P.C.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE  
EBARA CORPORATION

(B) RESIDENCE: (CITY and STATE OR COUNTRY)  
Tokyo, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

Issue Fee  
 Publication Fee  
 Advance Order - # of Copies -0-

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 15-00030 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) (Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

COPY

TRANSMIT THIS FORM WITH FEE(S)

OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DOCKET NO.: 0160-0193-0 PCT/hyc



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Hiroshi IKEDA, et al.

SERIAL NUMBER: 09/463,961

GROUP: 1754

FILED: March 9, 2000

EXAMINER: Wayne A. LANGE

FOR: PROCESS AND APPARATUS FOR TREATING SEMICONDUCTOR  
PRODUCTION EXHAUST GASES

**REQUEST TO CORRECT TITLE OF INVENTION**

MAIL STOP ISSUE FEE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

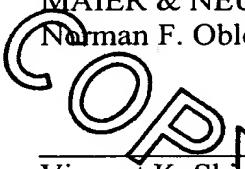
SIR:

In the matter of the above-identified application for patent, we hereby request correction of your records to reflect the correct title of the invention. The title of the invention should read as follows: **PROCESS AND APPARATUS FOR TREATING SEMICONDUCTOR PRODUCTION EXHAUST GASES.**

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

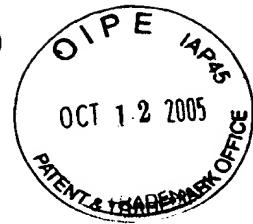
  
Vincent K. Shier, Ph.D.  
Registration No. 50,552

Customer Number

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(OSMMN 05/04)  
I:\USER\HYCHONOA\REQUESTCORRECT\125005(0160-0193-0)TITLE.DOC

Docket No.: 0160-0193-0 PCT/hyc



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Hiroshi IKEDA, et al.

SERIAL NUMBER: 09/463,961

GROUP: 1754

FILED: March 9, 2000

EXAMINER: Wayne A. LANGE

FOR: PROCESS AND APPARATUS FOR TREATING SEMICONDUCTOR  
PRODUCTION EXHAUST GASES

**REQUEST TO CORRECT FILING DATE**

MAIL STOP ISSUE FEE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

In the matter of the above-identified application, we hereby request correction of your records to reflect the correct filing date of the invention. The correct filing date of the invention should be: **March 9, 2000**, as evidenced by the copy of the date-stamped filing receipt.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

*Vincent K. Shier, Ph.D.*  
Registration No. 50,552

*COPY*

Customer Number

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(OSMMN 05/04)

I:\USER\HYCHO\NOA\REQUESTCORRECT\125005(160-0193-0).DOC



O.S.&M. File No. 0160-0193-0 PCT By NFO/dty FF

Due Date NONE

Serial No. 09/463,961

In the Matter of the Application of Hiroshi IKEDA, et al.

For PROCESS AND APPARATUS FOR TREATING  
SEMICONDUCTOR PRODUCTION EXHAUST GASES

The following has been received in the U.S. Patent Office on the date stamped hereon:

pps. Specification & Claims (English Translation)

Combined Declaration, Petition & Power of Attorney (3 pages)

Submission of Declaration under 37 CFR 1.495

PCT Transmittal Letter

Verified Statement (Declaration) Claiming Small Entity Status

Submission of Verified Statement (Declaration) Claiming Small Entity Status

Check for \$ \_\_\_\_\_;  Dep. Acct. Order Form

Declaration of \_\_\_\_\_

Assignment pages/PTO-1595

Letter to Official Draftsman

Letter Requesting Approval of Drawing Changes

Drawings sheets

Preliminary Amendment

Information Disclosure Statement;  PTO-1449

Cited References ( )

\_\_\_\_\_ Search Report

Statement of Relevancy

Restriction Response  Election Response

Rule 132 Declaration

Petition

Notice of Appeal

**COPY**

95 Rec'd PCT/PTO 09 MAR 2000  
Date Rec'd